

Appl. No. 10/689,342
Atty. Docket No. CM2536CQ
Amdt. dated April 9, 2007
Reply to Office Action of October 17, 2006
Customer No. 27752

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REMARKS

Claim Status

Claims 1, 2, 4-7, 9-12, 14 and 19-20 are pending in the present application. Claims 15-18 have been withdrawn. Applicants have cancelled claims 8 and 13 without prejudice.

Applicants have amended claims 1 and 19 to include the features of a primary pre-bonded web layer having a CD orientation and a MD orientation, the primary pre-bonded web arranged to form corrugations oriented in a corrugation pattern of parallel corrugation lines wherein said corrugations lines are essentially parallel to the MD orientation of said web layer.

Applicants have added claim 20 to claim previously unclaimed features.

These amendments are supported by the specification, claims and drawings as filed. (See *inter alia*, page 6, lines 32-34, page 10, lines 19-34 and Fig. 2A-2B).

Rejection Under 35 USC §112

Claim 13 has been rejected under 35 U.S.C. 112, second paragraph. Applicants submit that claim 13 has now been cancelled therefore mooted the rejection.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Rejection Under 35 USC §103(a)

Claims 1, 2, 4-6, 8, 9, 12 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over JP 56-140153 in view of Tanaka et al. '472.

Applicants submit that claims 1 and 19 have been amended to include the features of a primary pre-bonded web layer having a CD orientation and a MD orientation, the primary pre-bonded web arranged to form corrugations oriented in a corrugation pattern of parallel corrugation lines wherein said corrugations lines are essentially parallel to the MD orientation of said web layer.

It is Applicants' position that these amendments overcome the rejections. As best understood by Applicants neither the '153 reference nor the '472 reference teach or suggest a primary pre-bonded web layer having a CD orientation and a MD orientation, the primary pre-bonded web arranged to form corrugations oriented in a corrugation

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pattern of parallel corrugation lines wherein said corrugations lines are essentially parallel to the MD orientation of said web layer.

Applicants submit that "[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation ... to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure." *In re Vaack*, 947 F.2d 488, USPQ 2d 1438 (Fed Cir. 1991). (emphasis added)

When considering the claimed invention as a whole, the Office must take into consideration the features of a primary pre-bonded web layer having a CD orientation and a MD orientation, the primary pre-bonded web arranged to form corrugations oriented in a corrugation pattern of parallel corrugation lines wherein said corrugations lines are essentially parallel to the MD orientation of said web layer, features that are neither taught nor suggested by JP '153 nor Tanaka et al. '472.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

Conclusion

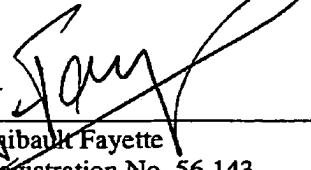
In view of the previous amendments and remarks, it is submitted that all the claims are in condition for allowance. Early and favorable action on all claims is therefore respectfully requested.

If the next action is other than to allow the claims, the favor of a telephonic interview is requested with the undersigned representative.

Respectfully submitted,

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